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By 
Peter K. Trzyna (Reg. No. 32,801)

Date April 30, 2004

PATENT

Paper No.

Our File No. AIS-P99-1

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#37
LDS
5-14-04**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor	:	MARKS, Daniel L.
Serial No.	:	09/399,578
Filed	:	09/20/1999
For	:	GROUP COMMUNICATIONS MULTIPLEXING SYSTEM
Group Art Unit	:	2155
Examiner	:	WINDER, Patrice L.

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE

S I R :

In response to the Office Action mailed 04/08/04 in the above-referenced patent application, please reconsider the application in view of the remarks set forth below.

The undersigned wishes to express particular appreciation to the Examiner for consideration of the extensive art of record, for the Examiner's search, and for the examination of the application. The Examiner is requested to reconsider the application.

In the Office Action, claims 1-949 have been rejected pursuant to 35 U.S.C. Sec. 102. Generally, the Examiner contends that claims 1-949 are anticipated by U.S. Patent No. 6,560,707 (Curtis) in contentions more precisely set out in paragraph 2 of the Office Action.

In response, it is respectfully submitted that the Sec. 102 rejection is defective because the cited art does not disclose all claim requirements.

For example, consider claim 1 *vis-a-vis* Curtis. Curtis's "'multicast' transmission over network 8 is analogous to radio broadcasts performed using a radio transmitter" (Col. 6, lines 19-21) in which "eavesdroppers...are able to 'listen in'" (Col. 8, lines 66-67). Thus, Curtis does not teach, and indeed contradicts, a system of arbitrating with the controller computer... to determine which ones of the participator computers can... send and receive communications.

Note further that unlike the claim requirement, Curtis teaches:

"Since multicasting operates in a manner similar to radio broadcasting, a user is able to 'listen in' on A/V data even if that user is not intended or entitled to receive the data, or is remote from the sender or the sender's intended recipients."

Col. 8, lines 30-35.

Consequently, Curtis teaches "encryption" (Col. 8, lines 36-46) in a multicast system which controls who is "able to decode" (Col. 8, lines 45-46) but not who can send and receive. Therefore Curtis does not anticipate as contended by the Examiner in the Office Action.

The Examiner is requested to make of record and consider the enclosed evidence "Host Extensions for IP Multicasting" which contradicts the rejection based on a multicast system. This teaches at page 16 that

a host cannot assume that datagrams sent to any host group address will reach only the intended hosts, or that datagrams received as a member of a transient host group are intended for the recipient.

Other contentions of the Examiner are respectfully traversed as contrary to the teaching of Curtis (e.g., moderator, censoring, etc., are not mentioned in Curtis), though in any case, Curtis does not anticipate claims 1-949.


The application is believed to be in condition for allowance, and favorable action is requested. If the prosecution of this case can be in any way advanced by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824.

The Commissioner is hereby authorized to charge any fees associated with the

above-identified patent application or credit any overcharges to Deposit Account No. 50-0235, and ,
if any extension of time is needed to reply to said office action, this shall be deemed a petition
therefor. Please direct all communication to the undersigned at the address given below.

Respectfully submitted,

Date: April 30, 2004


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